IN THE HIGH COURT OF BOMBAY AT GOA

STAMP NUMBER (APPLN.) NO. 2266 OF 2006

IN

STAMP NUMBER MAIN NO. 2265 OF 2006

SMT. LAXMI JAIRAM DHOND, PANAJI GOA. ....Appellant

Versus

SMT. SUSHILA D. AMONKAR AND 3 ORS., ...Respondents

Mrs. A. A. Agni, Advocate for the applicant.

Mr. S. D. Lotlikar, Senior Advocate with Ms. S. Rao, Advocate for the respondents.

Coram:- P.V. KAKADE, J.

Date:- 22nd August, 2006

P.C.

Heard Advocate for the applicant. Advocate for the respondents appears and waives service. He is also heard.

2. This application is made for the limited purpose of staying the auction fixed on 23.08.06 in the lower Court in Inventory Proceeding No. 22/90/A in respect of Item No.II in the list of description of assets dated 1.7.03 and 7.2.04. The auction with regard to item No.II is prayed to be stayed on the ground that the applicant alleges that she is entitled one half share therein and, therefore, her rights would be prejudiced with regard to the said property if the auction is allowed to be held and, therefore, she would require opportunity to prove her case regarding her one half share in the said property. In view of this position, it is hereby directed that the application is allowed in terms of prayer clause (a) and the auction

pertaining to item No.II stands stayed pending the hearing of the appeal.

3. The learned Counsel for the respondents, at this stage, submits that since the respondents are very old, they are not in a position to attend the Court time and again and, therefore, the entire auction be stayed and the hearing of the appeal be expedited. In view of the submission made on behalf of the respondents and in the facts and circumstances, the entire auction is herey stayed and the hearing of the appeal itself is expedited. The appeal be duly registered and placed on Board after two weeks. Authenticated copy of this order be issued to the parties.

P.V. KAKADE, J.

ssm.